



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

APPLICANTS: Karen Ann England et al. ) ART UNIT: 3711  
SERIAL NO.: 10/781,502 ) EXAMINER: Wong, Steven B.  
FILED : 02/18/04 )

RESPONSE

THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, DC 20231

Sir:

This is a response in the above-identified patent application to an Office Action dated 12/13/04. With this response new claim 11 has been added. A total of 11 claims remain pending including 1 independent claim.

IN THE CLAIMS

**Claim 1** (currently amended)

A ball marking system comprising:

a hat having a dome with **[[an]] a concave** inner surface **adapted to receive a wearer's head, [[an]] a corresponding convex** outer surface and an opening **having a first diameter;**

an insert having a base member **the base member having a second diameter that is no greater than the first diameter and having [[with]]** a magnetized **a first** upper surface, a **first** lower surface, and a wing **extending outwardly from an outer circumference of the base member, the wing having a second upper surface that faces in the same direction as the first upper surface and having a second lower surface and** such that the wing is attached to the inner surface of the dome **by mating the second upper surface of the wing with the inner surface of the dome** with the base member protruding through the opening of the dome; and

a marker having a top surface and a bottom surface, the bottom surface magnetically attached to the **first** upper surface of the base member.

**Claim 2** (currently amended)

The ball marker as in claim 1 wherein the base member has a cavity such that a portion of the marker overlies the cavity whenever the marker is magnetically attached to the **first** upper surface of the base member and such that when force is placed on the top surface of the marker above the cavity, the marker teeters against an edge of the base member into the cavity.

**Claim 3** (currently amended)

The ball marker as in claim 2 further comprising an arcuate ring member extending circumferentially about the **first** upper surface of the base member.

**Claim 4** (original)

The ball marker as in claim 3 wherein the ring member has a discontinuity located proximate the cavity.

**Claim 5** (currently amended)

The ball marker as in claim 1 further comprising an arcuate ring member extending circumferentially about the **first** upper surface of the base member.

**Claim 6** (currently amended)

The ball marker as in claim 1 wherein the entire **first** upper surface of the base member is magnetized.

**Claim 7** (currently amended)

The ball marker as in claim 1 wherein the less than the entire **first** upper surface of the base member is magnetized.

**Claim 8** (original)

The ball marker as in claim 1 wherein the wing extends circumferentially around the base member.

**Claim 9** (original)

The ball marker as in claim 1 wherein the wing is adhered to the inner surface of the dome.

**Claim 10** (original)

The ball marker as in claim 1 wherein the wing is stitched to the inner surface of the dome.

**Claim 11** (new)

The ball marker as in claim 1 wherein the bottom surface of the marker is flat.